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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

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THE CONFEDERATED TRIBES
AND BANDS OF THE YAKAMA
NATION, *et al.*,

NO. CV-08-3056-RHW

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Plaintiffs,

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v.

**ORDER DENYING MOTION TO
INTERVENE**

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CHRISTINE GREGOIRE, Governor
of the State of Washington, *et al.*,

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Defendants.

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Before the Court is a Motion to Intervene (Ct. Rec. 54) filed by putative intervenors Jonathan Lee Riches, Kendall Tankersley, and Jacob Ferguson. The motion was never noted for hearing, but was reviewed by the Court without oral argument. Mr. Riches *et al.* seek to intervene in the above-captioned matter under Fed. R. Civ. P. 24, claiming that "Defendants are denying Plaintiffs cigarettes at FCI Williamsburg. Defendants are not providing nicotine patches or nicotine gum to kick cigarette habbits [sic]." Mr. Riches *et al.* have not shown that they have any protectable interest relevant to the subject matter of this case, which involves cigarette taxation in Washington State. Nor have the putative intervenors shown that their claim has any questions of law or fact in common with the gravamen of the above-captioned matter. Therefore, the motion to intervene fails to show that Mr. Riches *et al.* meet the requirements for either intervention as a matter of right or permissive intervention. *See United States v. Alisal Water Corp.*, 370 F.3d 915 (9th Cir. 2004); *Northwest Forest Resource Council v. Glickman*, 82 F.3d 825 (9th Cir. 1996).

ORDER DENYING MOTION TO INTERVENE * 1

1   Accordingly, **IT IS HEREBY ORDERED:**

2   1.   The Motion to Intervene (Ct. Rec. 54) is **DENIED**.

3   2.   The District Court Executive is directed to terminate Jonathan Lee

4 Riches, Kendall Tankersley, and Jacob Ferguson from this matter.

5   **IT IS SO ORDERED.** The District Court Executive is directed to enter this

6 Order and forward copies to counsel.

7   **DATED** this 5ᵗʰ day of January, 2010.

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                    s/Robert H. Whaley
10   ROBERT H. WHALEY
                    United States District Judge
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ORDER DENYING MOTION TO INTERVENE * 2